



## SENTENCING IN WISCONSIN

### *Snapshots of Information on Wisconsin Sentencing*

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## Recent Sentencing-Related Books, Part I

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In this and the next snapshot in two weeks we present brief summaries of books related to sentencing currently available in bookstores or quickly by order.

Berman, Greg, and Feinblatt, John. Good Courts: The Case for Problem-Solving Justice. New York: The New Press. (2005)

The authors, associated with New York City's Center for Court Innovation, advocate adoption of "problem-solving" courts, focusing especially on community courts, domestic violence courts, and drug courts. They argue that these courts offer reduced substance abuse, recidivism, and crime; increased accountability; enhanced victim services; stronger families; and improved public confidence in justice. They provide case studies of community courts in New York City and Portland, OR, with individual "success stories." They also discuss the sources of judicial resistance to involvement in these courts, including threats to impartiality and independence, and treat seriously the possibility of violation of individual liberty and due process. They discuss how to measure effectiveness and end with consideration of other possible courts, such as family courts and housing courts.

Bogira, Steve. Courtroom 302: A Year Behind the Scenes in an American Courthouse. New York: Alfred A. Knopf. (2005)

Bogira, a writer for the *Chicago Reader*, was allowed to spend a year monitoring Chicago's Cook County Criminal Courthouse, specifically Courtroom 302 belonging to the Honorable Daniel Locallo. While his depiction is unlikely to be "news" to long-time courtroom participants, especially those in similar urban areas, he presents a thorough and depressing picture of the modern city courthouse and cases and of the present criminal justice process. Individual stories range from a junkie in and out of the courtroom to a high profile beating with potential for racial recriminations. This book will be most useful for those with no or minor exposure to contemporary courtrooms and proceedings, but experienced participants will also likely benefit. [A very similar book by a reporter spending a year in the prosecutor's office in Sacramento County, CA is Gary Delsohn's *The Prosecutors: A Year in the Life of a District Attorney's Office*, New York: Dutton, 2003.]

Buss, David M. The Murderer Next Door: Why the Mind Is Designed to Kill. New York: Penguin Press. (2005)

Buss is a psychology professor at UT-Austin best known for his supportive arguments in favor of evolutionary psychology, including debates over nature and nurture in development of gender roles. Here, however, he turns his evolutionary perspective on the role of violence and murder in evolutionary development. He does not accept that murderers are unique humans but argues that killing is fundamental to all human nature and that most people harbor fantasies at some point(s) of killing others. Most murderers, he believes, are “normal” people, right up to the moment of their homicides. Why are we all potential killers? Because killing gave advantages for reproductive success among our ancient ancestors, he explains, which also implies why so many actual killers are males and so many victims of or catalysts for the male violence are females. The book gives a new and different take on the long-time criminological question of why people kill which may or may not be convincing.

that promise both public safety and fiscal integrity as well as or better than current expenditures on prisons. However, he also stresses, these and other reforms must be “local,” that is, based on the needs and values of the state and local governments making them. [A related book on the impact of incarceration and reentry of offenders is by Jeremy Travis and Michelle Waul, eds., *Prisoners Once Removed: The Impact of Incarceration and Reentry on Children, Families, and Communities*, Washington, DC: The Urban Institute, 2003.]

*The Wisconsin Sentencing Commission periodically publishes “Sentencing in Wisconsin” to provide the public, state courts, and policymakers data on state sentencing practices. For other publications, or more information about the Commission, see its website, <http://wsc.wi.gov>*

Jacobson, Michael. Downsizing Prisons: How to Reduce Crime and End Mass Incarceration. New York: New York University Press. (2005)

The author is currently a professor at two New York universities and president of the Vera Institute of Justice, after a long career in New York City government. He rejects the argument that prison has had or will have a substantial long-term impact on crime rates or public safety and outlines the unintended consequences of the present emphasis on incarceration. He counters the view from the 1970s that rehabilitation does not work and believes that research showing some, and not always dramatic, benefits of alternative sentencing over incarceration have pointed new directions for cash-strapped prison systems to pursue. He talks about how several states with fiscal problems have increased their use of treatment programs and outlines several “success” stories. In particular, he advocates a series of detailed changes in parole and probation

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